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United States  
Circuit Court of Appeals  
For the Ninth Circuit

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No. 2800

UNITED STATES OF AMERICA,  
Appellant.

vs.

CHING LUM,

Appellee.

PETITION FOR REHEARING

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E. A. MOTT-SMITH,

W. L. STANLEY,

Counsel for Appellee.

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Filed

MAR 2 - 1917

F. D. Monckton,

Clerk.



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UNITED STATES OF AMERICA,	}
Appellant,	
vs.	
CHING LUM,	Appellee.

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## PETITION FOR REHEARING.

The appellee respectfully petitions that a rehearing be granted for the following reasons:—

1. That the court erred in its Opinion filed herein on the 5th day of February, 1917, and the said Opinion was based upon a misconception of the undisputed facts appearing in the record herein, in so far as it remanded the above cause to the District Court of the United States in and for the Territory of Hawaii with instructions to remand the appellee *for deportation*, because it appears from the said record that the said cause came to this court on appeal from the judgment of the said District Court sustaining the appellee's demurrer to the return of the appellant to the appellee's petition for a writ of habeas corpus, which writ was issued upon the arrest

